

COMMISSION ON JUDICIAL PERFORMANCE
455 Golden Gate Avenue, Suite 14400
San Francisco, CA 94102

Contact: Victoria B. Henley
Director-Chief Counsel
(415) 557-1200

FOR RELEASE
May 14, 2015

JUDICIAL PERFORMANCE COMMISSION ISSUES
PUBLIC ADMONISHMENT OF JUDGE JOHN L. FIELDER

The Commission on Judicial Performance has publicly admonished Judge John L. Fielder of the Kern County Superior Court. The public admonishment concerns Judge Fielder's improper conduct when interacting with a member of court administration regarding the reassignment of another judge's courtroom clerk and, on a different occasion, when interacting with an attorney regarding the filing of a motion and supporting papers with the court.

In April 2013, Judge Fielder and Judge Cory Woodward met with a deputy chief court executive officer regarding court administration's decision to reassign Judge Woodward's courtroom clerk. During the meeting, Judge Fielder displayed considerable irritation toward the court administrator and engaged in a discussion that was too aggressive, too heavy-handed, and could have been intimidating, including stating words to the effect that before judges would allow court administration to move courtroom clerks around, they "would get together and fire" the court executive officer. Judge Fielder acknowledges that his statement to a court administrator about the court executive officer was "out of line" for a judicial officer.

The commission also determined that Judge Fielder abused his authority as supervising judge in July 2013 in connection with a case pending before Judge Woodward. A hearing on a motion for new trial had been scheduled in the case and the attorney attempted to file an ex parte application for a temporary stay of enforcement of a June 2013 order. Judge Fielder's approval as supervising judge was required before the application could be filed and a hearing set. The attorney's papers included a statement of disqualification of Judge Woodward and a declaration that questioned Judge Woodward's ability to hear the case, including allegations of inappropriate behavior and/or misconduct between Judge Woodward and his staff and their effect on Judge Woodward and his family. Judge Fielder abused his authority by summoning the attorney into his chambers and telling him that the declaration should be toned down before it was filed, due to Judge Fielder's stated concerns about the court's reputation and Judge Woodward's family. As a consequence of Judge Fielder's statements, the attorney concluded that the declaration had to be modified before Judge Fielder would allow it to be filed. The attorney returned to his office, modified the declaration and resubmitted it the same day.

In determining that a public admonishment was appropriate in this matter, the commission considered that Judge Fielder had been the subject of prior discipline, including two advisory letters and a private admonishment, which are referenced in the public admonishment.

The public admonishment is available on the commission's website at <http://cjp.ca.gov> (under "Pending Cases - Press Releases & Documents" and "Public Discipline & Decisions") and at the commission's office. Judge Fielder is represented by attorney Paul S. Meyer of Costa Mesa.

* * *

The commission is composed of three judges, two lawyers and six public members. The chairperson is Honorable Erica R. Yew of the Santa Clara County Superior Court.

For further information about the Commission on Judicial Performance, see the commission's website at <http://cjp.ca.gov>.